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Applicants : Anthony
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TERMINAL DISCLAIMER

Her Majesty in Right of Canada as represented by the Minister of Natural Resources (hereinafter referred to as "owner") is the assignee of the entire right, title, and interest in the above-referenced patent application by virtue of an assignment from the inventor(s) that was recorded in the United States Patent and Trademark Office at Reel 018293, Frame 0260 on September 22, 2006.

Owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-referenced application which would extend beyond the expiration date of the full statutory term of any patent granted on the prior patent application No. 10/577,542 as the term of the prior patent is defined in 35 U.S.C. §§ 154 and 173, and as the term of the prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the above-referenced application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the above-referenced application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the above-referenced application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that the prior patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. The undersigned is an attorney of record.

Dated: January 30, 2009

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Respectfully submitted,



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